

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Facebook Inc. (Facebook) SUBJECT ACCOUNTS
more fully described in Attachment A

Case No. MJ20-592

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachments A, incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 922(j)	Possession of Stolen Firearms

The application is based on these facts:

- ☒ See Affidavit of ATF Special Agent Lexie A. Widmer, continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.



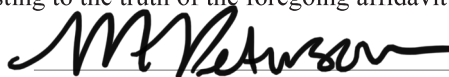
Applicant's signature

Lexie A. Widmer, Special Agent, ATF

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 9/11/2020



Judge's signature

City and state: Seattle, Washington

Michelle L. Peterson, United States Magistrate Judge

Printed name and title

AFFIDAVIT

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

I, Lexie Widmer, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a special agent (SA) duly sworn and employed by the U.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I am currently assigned to the Seattle V ATF Field Office, located within the Seattle, Washington, Field Division. I have been employed as a special agent since July 2017.

2. I am a graduate of Western Oregon University in Monmouth, Oregon, where I received a Bachelor of Science in Computer Science and a Bachelor of Science in Criminal Justice. I completed a twelve-week Criminal Investigator Training Program (CITP) and a fifteen-week Special Agent Basic Training (SABT) at the ATF National Academy/Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia.

3. I am responsible for investigations involving specified unlawful activities, to include violent crimes involving firearms that occur in the Western District of Washington. I am also responsible for enforcing federal firearms and explosives laws and related statutes in the Western District of Washington. I received training on the proper investigative techniques for these violations, including the identification of firearms and location of the firearms' manufacture. I have actively participated in investigations of criminal activity, including but not limited to: crimes against property, narcotics-related crimes, and crimes involving the possession, use, theft, or transfer of firearms. During these investigations, I have also participated in the execution of search warrants and the seizure of evidence indicating the commission of criminal violations.

4. The facts in this Affidavit are based on my own personal knowledge; my training and experience; and knowledge and information obtained from other individuals during my participation in this investigation, including other law enforcement personnel; review of documents and records related to this investigation; and communications with others who have personal knowledge of the events and circumstances described herein.. Because this Affidavit is submitted for the limited purpose of establishing probable cause in support of the application for a search warrant, it does not set forth each and every fact that I or others have learned during the course of this investigation.

PURPOSE OF AFFIDAVIT

5. I am submitting this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant for **Facebook account 100002862758124** (associated with JACOB D. LITTLE) and **Facebook account 100001849466441** (associated with DARIUS S. M. BENSON), hereinafter “SUBJECT ACCOUNTS”.

6. The above Facebook user IDs identifies Facebook accounts stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government copies of the information (including the content of communications) further described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

SUMMARY OF PROBABLE CAUSE

7. On May 30, 2020, Seattle Police Department (SPD) officers were deployed to work demonstration management/crowd control in the area of 6th Avenue and Pine Street in Seattle, Washington, where large groups were gathering to protest the death of

1 George Floyd. Upon arrival in the area, three SPD officers (Washington, Behn, and
2 Spect) parked SPD vehicle #33411, a blue Ford SUV, in the 1600 block of 6th Avenue on
3 the west side of the street in front of the Nordstrom store.

4 8. Also on May 30, 2020, members of the SPD Photo Unit, including Karen
5 Derby, were assigned to assist with the protests by taking documenting protestors that
6 were committing crimes or acting in a suspicious manner. They responded in the area of
7 6th Avenue and Pine Street. At one point, overwhelmed by the protestors, they left their
8 parked vehicle and took refuge in the Nordstrom store located at 500 Pine Street. From
9 there, they took numerous photos from an elevated position.

10 9. At approximately, 3:30 pm, civil unrest began to occur in a concentrated
11 area, 4th Avenue to 6th Avenue and Olive Way to Pike Street. This included the
12 destruction of five SPD vehicles that were parked in the 1600 block of 6th Avenue and
13 one additional SPD vehicle that was parked in the 500 block of Pine Street. These SPD
14 vehicles were heavily damaged by protestors. This destruction included breaking off the
15 windshield wipers, side view mirrors breaking out the vehicle windows with rocks and
16 poles, and removing various equipment, to include video recording equipment, ballistic
17 helmets, uniforms emergency medical equipment, fire extinguishers and a total of five
18 firearms.

19 10. Utilizing surveillance video, photos, and witnesses, SPD investigators
20 identified descriptions of each individual that stole five firearms from the SPD vehicles.
21 Three of the firearms have since been recovered. One stolen rifle and one stolen pistol
22 have not been recovered. The subject of this search warrant is the recovery of the stolen
23 SPD-issued rifle, which is a loaded Colt M4 rifle with a suppressor, bearing serial
24 number LE296517 (hereinafter "the Colt rifle and suppressor"), that was removed from
25 SPD vehicle #33411.

26 11. On June 8, 2020, SPD Detective Michael Magan reviewed several
27 photographs taken by SPD Photographer Derby. In the course of reviewing these photos,
28 Detective Magan observed several photographs depicting a heavysset adult white male

1 dressed in all black, including black rain slicker and black face covering, and wearing a
2 black backpack. The photographs showed that the male was carrying a large, rectangular
3 shaped bag. Detective Magan recognized this bag as looking identical to the rifle bags
4 that are issued by the SPD Firearm Unit and carried by the SPD officers and detectives
5 that are trained to carry either an AR-15/M4 rifle or shotgun.



18 *SPD Photographer Derby's photographs of suspect taken on May 30,*
19 *2020, around 4:21 p.m.*

20 12. Detective Magan further observed that these images showed the heavysset
21 white male walking on the east sidewalk in the 1600 block of 6th Avenue. Detective
22 Magan further observed from the images that the individual was carrying the bag in a
23 manner that indicated the bag had a heavy object inside it. From training and experience,
24 Detective Magan observed that the shape of the bag was consistent with it containing a
25 rifle with a loaded magazine. Detective Magan also observed that several images
26 appeared to show a white-colored powder on the exterior of the bag that was consistent
27 with residue from a fire extinguisher. Detective Magan was aware that fire extinguishers
28

1 had been stolen by the protesters while damaging the police vehicles and sprayed
2 throughout the vehicles parked in the 1600 block of 6th Avenue to further damage the
3 interior of the police vehicles.

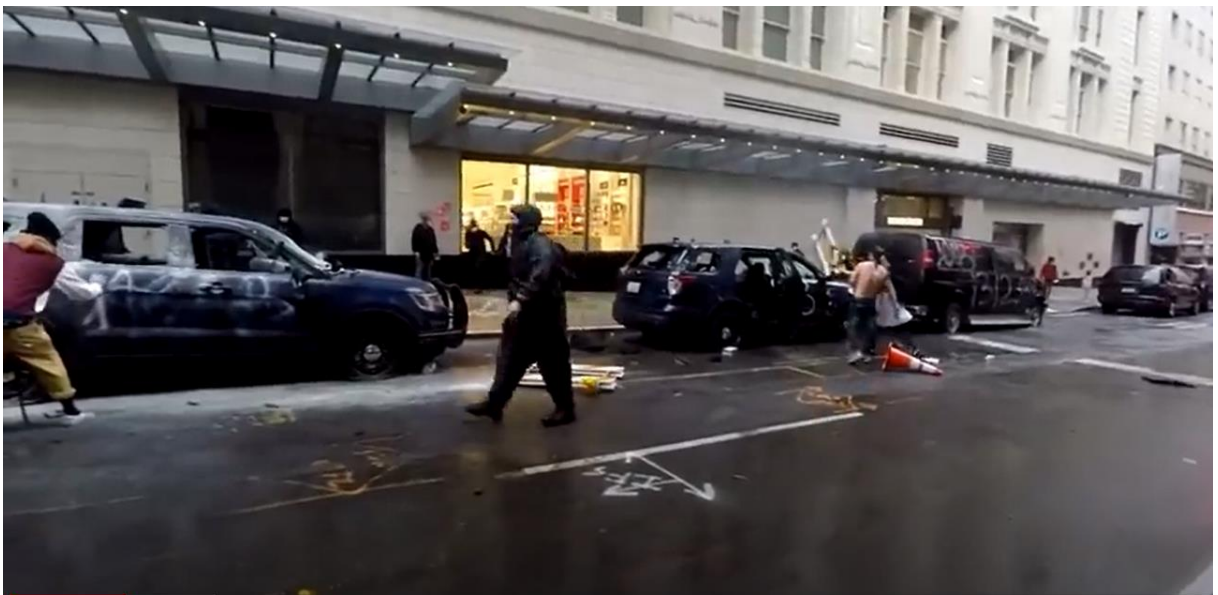
4 13. After viewing these photographs, Detective Magan spoke to SPD Officer
5 Q. Washington, who was one of the officers who had traveled to the scene in SPD vehicle
6 #33411 and secured two firearms, including the Colt rifle, in the rear portion of the
7 vehicle. Officer Washington confirmed that her Colt rifle, which had been inside the
8 department-issued rifle bag, had been taken from vehicle #33411 at some point on May
9 30, 2020, and had not yet been recovered. Officer Washington was shown the
10 photographs above and confirmed that the bag in the photographs appeared consistent
11 with the department-issued rifle bag that she had used to carry her Colt rifle.

12 14. On June 15, 2020, Det. Magan located a video that had been posted to
13 YouTube by a user named "Vagrant Holiday" titled "Riot Holiday." Upon reviewing the
14 video, and listening to the narration of the individual filming the video, Detective Magan
15 recognized the video as containing footage of the rioting and looting that occurred in
16 Seattle on May 30, 2020. Detective Magan saw the video had been posted on June 13,
17 2020. Approximately two minutes into the video, Detective Magan saw what appeared to
18 be the above-described heavysset adult white male dressed in all black wearing a black
19 backpack in the area of 6th and Pine, in front of the Nordstrom department store. As
20 shown in the screenshots below, the video appeared to show this male removing the rifle
21 bag from the rear of a SPD vehicle and walking off with it.

22 15. From the video, Detective Magan recognized the three police vehicles
23 parked in a row as vehicles damaged during the May 30, 2020, protests. Detective
24 Magan was aware that two SPD unmarked SUV units were parked behind a black Chevy
25 police van, and that the second SUV unit in the row was SPD vehicle #33411. While
26 watching the video, Detective Magan saw footage of the adult male removing what
27 appeared to be a SPD-issued rifle bag from the rear portion of what appeared to be SPD
28 vehicle #33411.



Screenshot from "Riot Holiday" YouTube video, time elapsed 2:01 – Close up of suspect walking on 6th Avenue in front of Nordstrom store.



Riot Holiday, Time elapsed 2:02 - Suspect walking towards SPD vehicle #33411



Riot Holiday, time elapsed 2:08 – Suspect about to remove rifle bag through broken rear window of SPD vehicle #33411

//
//
//



Riot Holiday, time elapsed 2:08 – Suspect removing rifle bag from broken rear window

//
//
//



Riot Holiday, time elapsed 2:10 – Suspect clutching rifle bag

16. From the video, Detective Magan also saw that the male appeared to react to the weight of the rifle bag hitting his leg by bending over slightly.

17. On June 30, 2020, Detective Magan learned that SPD Analyst Ross had received a tip, dated June 2, 2020, from the Snohomish County Sheriff's Office (SCSO) that identified a video that had been posted to the Snapchat account "yg_jacob" that showed a heavysset adult white male dressed in all black smashing the front window of a police vehicle using a laptop computer at what appeared to be 1600 block of 6th Avenue on Saturday, May 30, 2020. The video also included a photo of the male posing in front of an SPD vehicle that had been spray-painted with red paint at what appeared to be the 500 block of Pine Street. The tip listed the subject as "Jake Little," an employee of Judd & Black in Everett, Washington. Det. Magan compared the individual featured in the Snapchat video to the images he had previously obtained from the SPD Photo Unit and YouTube video of the unidentified heavysset adult male suspect who had removed what appeared to be a rifle bag from SPD vehicle #33411. Based upon the heavysset build and

1 clothing worn, Detective Magan concluded that they appeared to depict the same
2 individual.



3
4
5
6
7
8
9
10
11
12
13 *Left: “yg_jacob” Snapchat photo. Right: photo taken by SPD Photo Unit*

14 18. Based upon the tip that the individual in the above photo posted to “yg-
15 jacob” was named “Jake Little,” Analyst Ross queried law enforcement and open source
16 databases for individuals named “Jake” or “Jacob” in the Snohomish County area.
17 Analyst Ross located a Facebook account for “Jacob YG Little” that depicted an
18 individual that appeared to match the suspect’s build and description. He tentatively
19 identified “Jake Little” as JACOB D. LITTLE. He also found two vehicles to be
20 registered to LITTLE: a 2001 black Chevy Impala and a 2005 Cadillac Deville.

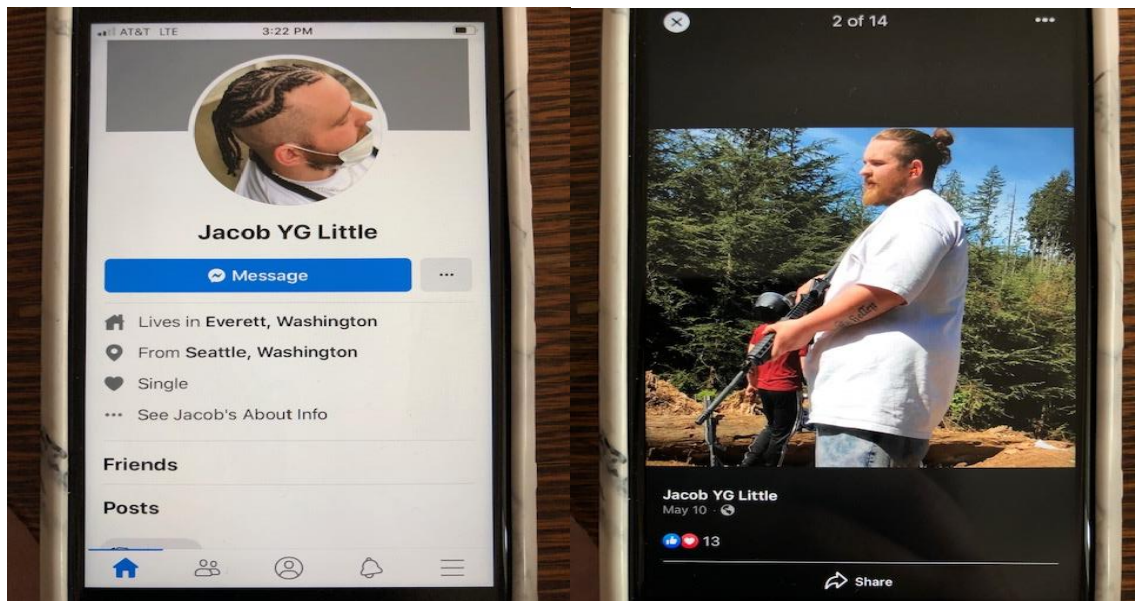
21 19. On June 30, 2020, Detective Magan spoke with the tipster. He learned
22 from the tipster that “Jake Little” lived in Everett, Washington. The tipster described
23 “Jake Little” as a physically large, over six feet tall and well over 300 pounds. The
24 tipster believed that “Jake Little” believed he is a gangster. The tipster said “Jake Little”
25 is always armed with a pistol and possibly a rifle or a shotgun. The tipster said they saw
26 the Snapchat post that “Jake Little” had made and posted with disbelief and forwarded
27 the information to SCSO. The tipster said they immediately recognized “Jake Little” in
28 the video by the Snapchat account “yg_jacob” because of his physical size and because it

1 was similar in tone to other things he had posted. The tipster said “Jake Little” disliked
2 the police and showed support for the Black Lives Matter (BLM) movement. The
3 roommate of the tipster also spoke with Detective Magan. The roommate told Detective
4 Magan that “Jake Little” drove a 2001 black colored Chevrolet Impala. The roommate
5 also said that “Jake Little” was employed at Cintas Janitorial in Everett, in addition to
6 working at Judd and Black.

7 20. Also on June 30, 2020, Detective Magan spoke with Everett Police
8 Department (EPD) Detective Mike Atwood. Detective Magan learned that LITTLE was
9 recently involved in a traffic collision and listed address 2511 Melvin Avenue, Apartment
10 A, Everett, Washington (hereinafter “LITTLE’s residence”). On July 9, 2020, Detective
11 Atwood informed Detective Magan that he had driven by LITTLE’s residence, and
12 observed the damaged Chevrolet Impala parked in the parking lot, but did not see
13 LITTLE.

14 21. Also on July 9, 2020, Detective Atwood and Detective Magan interviewed
15 the tipsters at their residence. Detective Magan showed them the digital images of the
16 suspect that Photographer Derby took on May 30, 2020. The tipster and the roommate
17 immediately identified the person in the images as “Jake Little.” The tipster and the
18 roommate told investigators they met “Jake Little” in September of 2018 while working
19 at Judd and Black Appliance Store in Everett, Washington, but neither of them have had
20 any contact with him in more than a year. The roommate said “Jake Little” was always
21 out shooting and had invited both to go shooting, but both declined. The tipster provided
22 “Jake Little’s” Facebook account as “Jacob YG Little” to Detective Magan.

23 22. On July 10, 2020, I reviewed photos associated with the Facebook account
24 “Jacob YG Little.” I compared LITTLE’s driver’s license photo and photos from this
25 Facebook account. I saw they appeared to depict the same person.
26
27
28



23. Also on July 12, 2020, I reviewed three EPD police reports (EPD 2019-47685, EPD 2019-83082, and EPD 20-28268) referencing LITTLE. I saw in each that

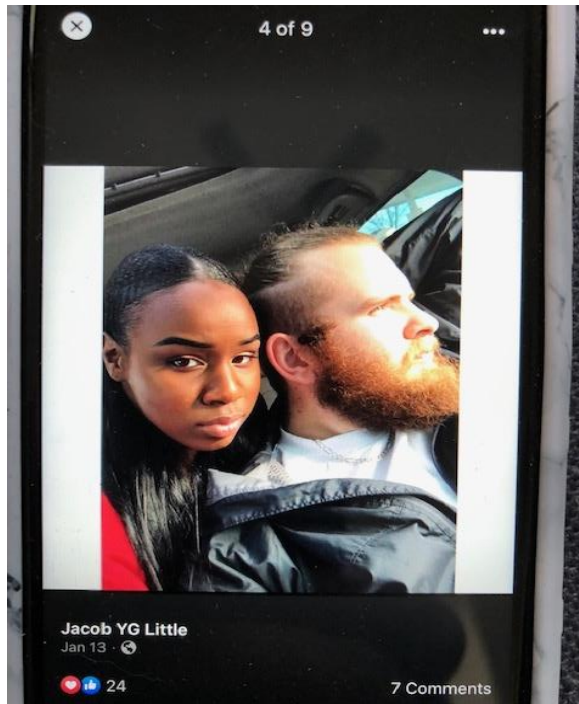
Top row: photos from “Jacob YG Little” Facebook account

Second row: Jacob LITTLE driver’s license photo

LITTLE’s address was listed as same as the LITTLE’s residence. In EPD 2019-47685 and EPD 2019-83082, I saw officers made in-person contact with LITTLE at LITTLE’s

1 residence on May 3, 2019, and July 24, 2019, respectively. I noted from EPD 2019-
2 83082, that LITTLE's father and step-mother also lived at LITTLE's residence. I located
3 Washington licensing records that also associated LITTLE's father and step-mother with
4 LITTLE's residence.

5 24. On July 12, 2020, ATF SA Keeli Nelson reviewed the Facebook account
6 "Jacob YG Little" and observed an image that appeared to depict LITTLE wearing a
7 black slick rain jacket similar to the jacket worn by the suspect. Based on training and
8 experience, SA Nelson was aware that "YG" typically stands for "Yung Gangsta" and is
9 associated with gang member "street" names.



23 *Photo from "Jacob YG Little" Facebook account*

24
25 25. On July 14, 2020, investigators viewed a post made to the Snapchat account
26 of "yg_jacob" with an image of a white male that appeared to depict LITTLE.



Post from Snapchat account "yg_jacob" viewed on July 14, 2020.

26. SA Nelson also saw two additional posts made to the account "yg_jacob" on July 13, 2020. These posts appeared to indicate that the user was purchasing a new Remington rifle. SA Nelson conducted a Google search for gun stores in the Everett, Washington, area. She identified a Sportsman's Warehouse located Everett that appeared to match the posted photos.

27. I compared the Snapchat posted photo that appeared to be LITTLE to a photo taken by Photographer Derby of the suspect on May 30, 2020. I saw the size and shape of the body appeared to be the same. I also noted the similarity of what I could see of the suspect's face with the Snapchat photo of LITTLE.



Left: Photo taken by Photographer Derby. Right: Snapchat post

28. Also on July 13, 2020, ATF SA Nathan Petrulak contacted the Sportsman's Warehouse located at 505 Southeast Everett Mall Way, Suite 1, Everett, Washington, and located an ATF Form 4473 documenting the purchase of a Remington 783 rifle on July 13, 2020, by JACOB. D. LITTLE.

29. On three previous days, agents conducted surveillance at the LITTLE's residence. Neither LITTLE nor his registered vehicles were seen.

30. On July 15, 2020, Detective Atwood conducted surveillance at Cintas Uniform Services, 6400 Merrill Creek Parkway, Everett, Washington, for LITTLE. At approximately 2:00 p.m., he observed a tan Buick LeSabre, bearing Washington license plate 347ZMR (hereinafter "LITTLE's vehicle") pull into the parking lot. Detective

1 Atwood identified the driver as LITTLE. Detective Atwood saw from licensing records
2 that this vehicle was sold on June 23, 2020, to a “Jacob F. Little”, who listed the same
3 address as LITTLE’s residence.

4 31. Also on July 15, 2020, Detective Atwood observed LITTLE take two work
5 breaks in the Cintas parking lot. Detective Atwood noted LITTLE was on his phone for
6 almost the entirety of both breaks.

7 32. Later on July 15, 2020, around 10:00 p.m., Detective Atwood and other
8 surveillance members followed LITTLE driving LITTLEs vehicle from Cintas to
9 LITTLE’s residence.

10 33. On July 20, 2020, the Honorable Judge Tsuchida issued federal search
11 warrants MJ20-449(1), MJ20-449(2), and MJ20-449(3) authorizing the search/seizure of
12 LITTLE’s residence, LITTLE’s vehicle, and LITTLE’s person, as well as LITTLE’s cell
13 phones.

14 34. Later on July 20, 2020, members the Violent Offender Task Force (VOT)
15 conducted an arrest operation for LITTLE with probable cause developed by Detective
16 Magan. They located LITTLE’s vehicle parked at the Judd & Black Appliance
17 Distribution Center, 3326 Paine Avenue, in Everett, Washington. LITTLE was taken into
18 custody without incident by VOT personnel as LITTLE approached his vehicle. VOT
19 personnel conducted a search incident to arrest of LITTLE.

20 35. After the search, SA Catherine Cole retrieved a black Apple iPhone and
21 LITTLE’s car keys that were placed on the driver’s side roof of the vehicle. LITTLE was
22 then transported by VOT personnel to the EPD North Precinct. SA Cole executed the
23 search of LITTLE’s vehicle and located a loaded Glock firearm under the driver’s seat.
24 This item was booked with Snohomish County for safe-keeping.

25 36. Later on July 20, 2020, ATF SAs and Task Force Officers (TFOs) executed
26 the search warrant on LITTLE’s residence. After knocking and announcing their
27 presence, they used a key to open the door. The residence was found to have nobody
28 home.

1 37. As the search of the residence commenced, E.L. and S.L., LITTLE's
2 parents, arrived at the residence. LITTLE's parents identified which bedroom was
3 LITTLE's room.

4 38. SAs and TFOs collected multiple items of evidence from LITTLE's
5 apartment, to include articles of clothing and documents bearing LITTLE's name.
6 Multiple firearms were located in LITTLE's room, but not seized.

7 39. Also on July 20, 2020, LITTLE's parents went to the EPD North Precinct
8 and spoke with Detective Magan and me. Detective Magan showed LITTLE's parents
9 photographs of the suspect taken on May 30, 2020. Detective Magan asked them what
10 they saw in the photos. LITTLE's parents were initially quiet. S.L. began crying and at
11 one point, pointed at the photographs and said "That is not the son I raised." Detective
12 Magan interpreted this to mean that S.L. recognized the person in the video as LITTLE
13 and that she was disappointed to see him engaging in such actions. When Detective
14 Magan again asked what they saw in the photos, S.L. said Jacob holding something.
15 Detective Magan released LITTLE; LITTLE departed from the Precinct with his parents.

16 40. On July 22, 2020, I entered LITTLE's phone, an Apple iPhone in a black
17 case with a Seattle Seahawks logo, into ATF evidence. On the same day, I transferred
18 this item to Washington State Patrol (WSP) High Tech Crime Unit Kristl Pohl to begin
19 the data extraction process.

20 41. On July 29, 2020, I completed processing the evidence seized on July 20,
21 2020. I saw three items-a backpack, a jacket, and boots-closely matched the items worn
22 by the suspect on May 30, 2020. I compared photos of these items with photos from the
23 suspect.

24 //

25 //

26 //

1 42. I saw the general size, shape, and color matched the backpack worn by the
2 suspect. I also saw the gray accent stripes and orange patch on the straps matched the
3 backpack worn the suspect.

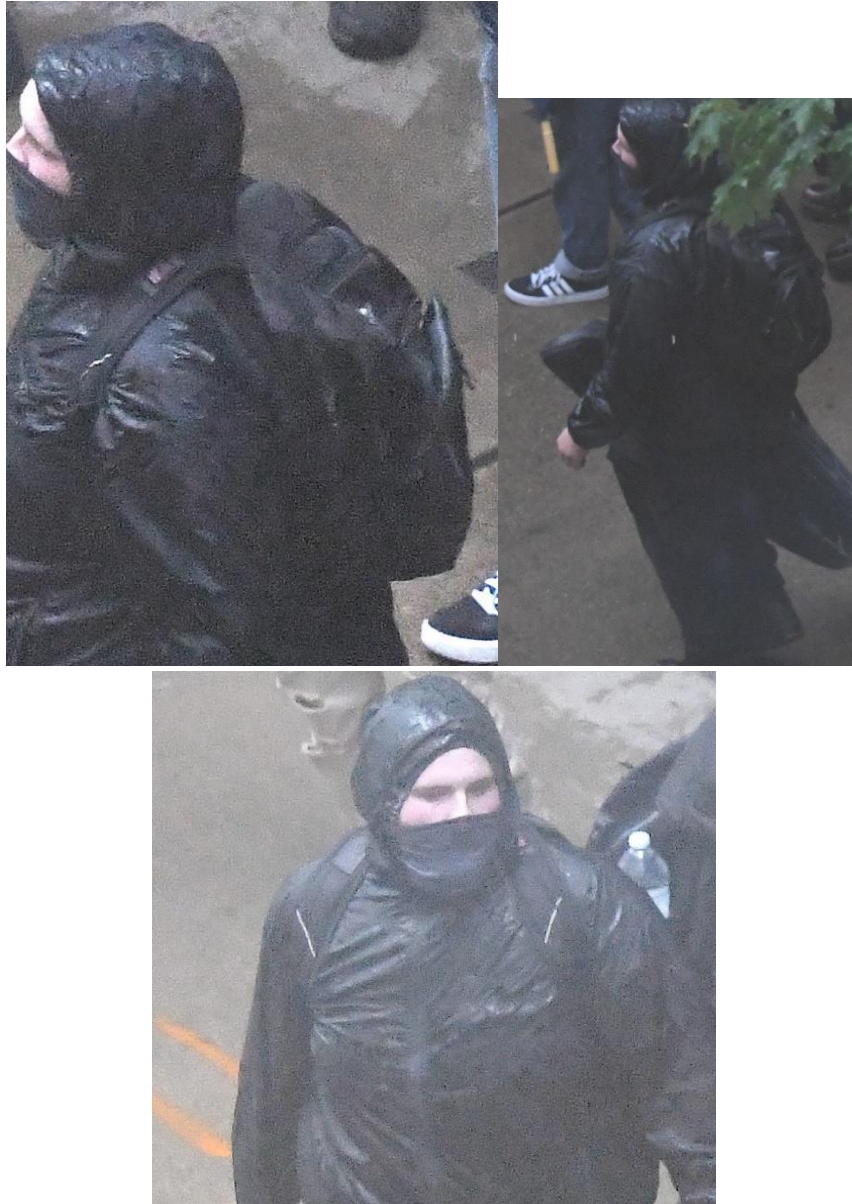


10 *Photos taken by SA Widmer of Item #4*

11 //

12 //

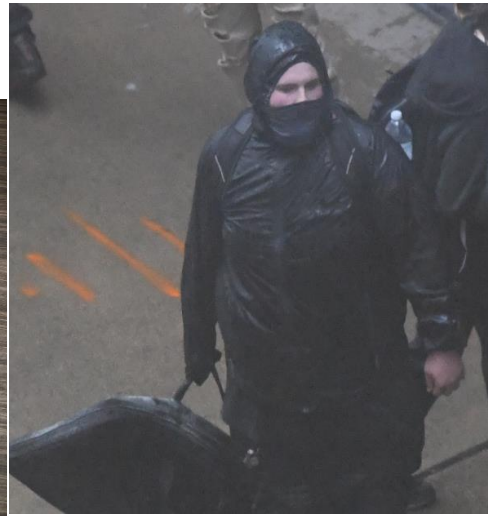
13 //



Images of suspect's backpack

//
//
//

43. I saw the color and slick material of the jacket matched the jacket worn by the suspect.



Left: Photograph taken by SA Widmer of Item #5. Right: Image of suspect's jacket

44. On the boots, I saw there was an orange stripe above the sole and below the toe of the right boot. I saw this stripe was worn away on the toe of the left boot. I also saw a small white patch on the bottom of the tongue of the right shoe. I saw these characteristics matched the boots worn by the suspect:

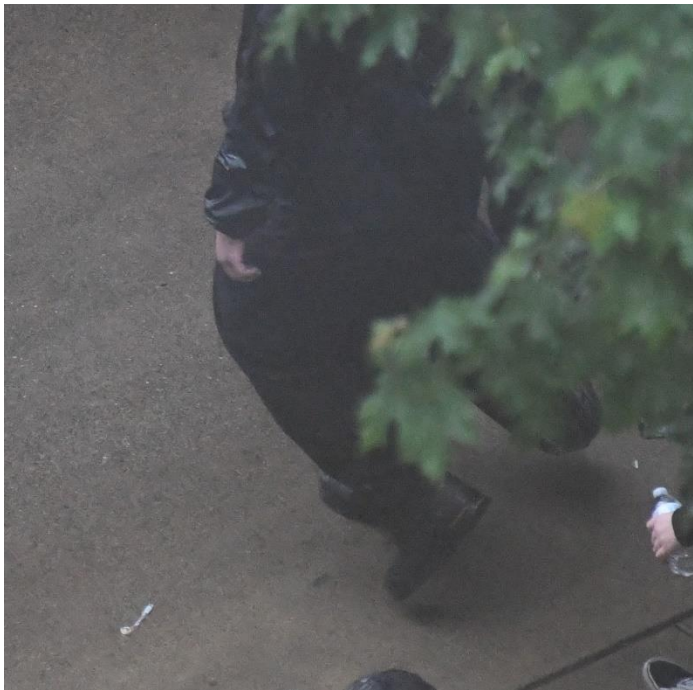
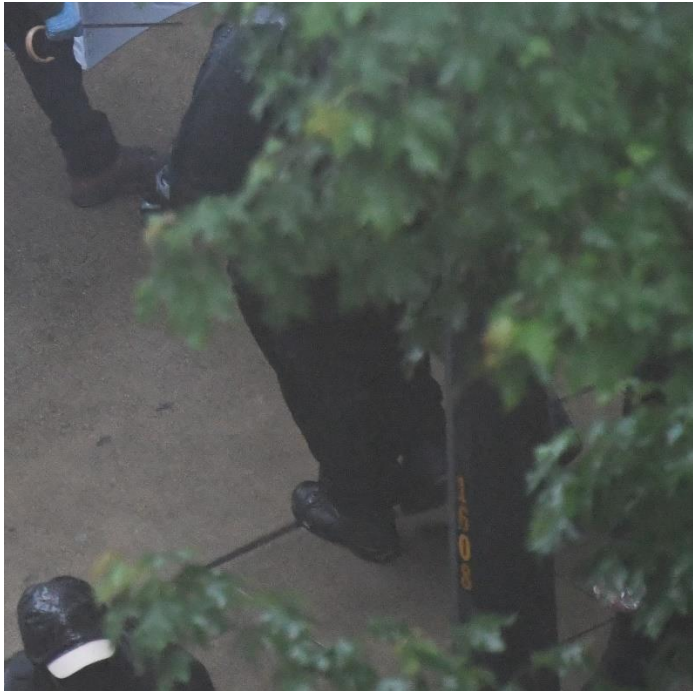
//

//

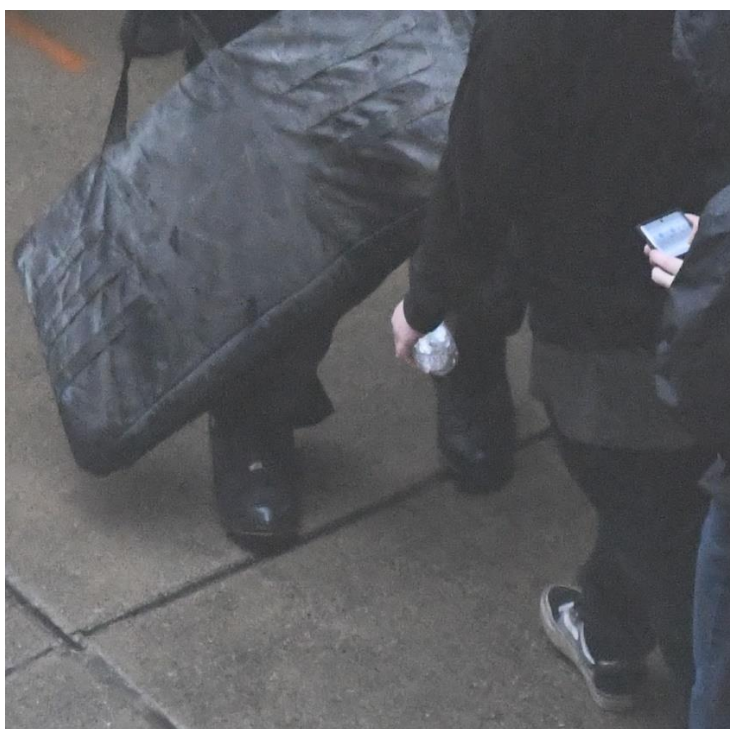
//



Above: Photos taken by SA Widmer of Item #6









Above: Images of the suspect's boots taken May 30, 2020

45. On July 27, 2020, I received LITTLE's phone from WSP High Tech Crime Unit Sergeant Greer. Greer also provided me with a USB flash drive he said contained

1 the extracted data from LITTLE's phone. I made working copies and booked the original
2 USB flash drive into ATF evidence.

3 46. On August 4, 2020, I reviewed portions of the cell phone data for
4 LITTLE's phone. I saw the following user accounts listed on the device:

5 Apple iCloud: username littlejacob327@gmail.com

6 SnapChat: username yg_jacob, mobile phone 206-751-8541

7 Facebook: name "Jacob YG Little", Facebook Id 100002862758124

8 Facebook Messenger: username jacobbyglittle, name "Jacob YG Little", Facebook
9 Id 100002862758124

10 Instagram: username Jacob_yg95, name "Jacob YG Little

11
12 47. I noted the oldest text message was timestamped June 13, 2020 at 1:09
13 p.m.. This message read "Verizon Msg: Congratulations on your new phone." I
14 concluded LITTLE likely obtained a new phone around this date, which was
15 approximately two weeks after the SPD issued rifle and suppressor were stolen.
16

17 48. I saw the following Facebook Messenger chat string between an individual
18 identified with the initials R.W. and "Jacob YG Little" (owner):
19

Timestamp	User	Message
5/31/20 11:07 a.m.	R.W.	Ooh damn that's all over the news it honestly scares me how crazy it's getting now
5/31/20 11:20 a.m.	Jacob YG Little	Honestly shit was crazy last night but nobody was getting

		injured by anybody except for the police everybody who came was standing together
5/31/20 11:21 a.m.	R.W.	So honest peaceful protests

Later in the conversation, Jacob YG Little said “honestly they tried Dr. Kings way it only got them so far now they just try and Malcom X’s way and it seems to be working a lot better.”

49. I saw the following Instagram chat string in which the first message was timestamped 5/31/2020 at 8:11 p.m. between “Jacob YG Little (owner)” and an individual identified with a name beginning with “S”.

Timestamp	User	Message
5/31/20 8:11 p.m.	Jacob_yg95	Wassup bro I think you the one that got the video of me yesterday lol
5/31/20 8:12 p.m.	S.	Were you the dude with the laptop?
5/31/20 8:12 p.m.	Jacob_yg95	Yessir
5/31/20 8:12 p.m.	S.	Yup you want that vid?
5/31/20 8:13 p.m.	Jacob_yg95	Yes please lmao
5/31/20 8:13 p.m.	S.	Gimme a sec
5/31/20 8:27 p.m.	S.	Video file [with link]

6/1/20 12:38 a.m.

Jacob_yg95

Thank you brotha!!

50. I believed this message string involved LITTLE's attempts to obtain the above-described video of LITTLE using a police laptop to smash a Seattle Police vehicle that was posted to LITTLE's SnapChat account.

51. I saw the following Facebook Messenger chat string between "Darius Benson" (Facebook Id 100001849466441) and "Jacob YG Little" (owner):

Timestamp	User	Message
5/31/20 7:53 a.m.	Darius Benson	Aye
5/31/20 8:44 a.m.	Jacob YG Little	Whas good I'm jus wakin up imma go tap in with bro n hit you
5/31/20 11:47 a.m.	Darius Benson	Send me a pic ASAP call me ima buy
5/31/20 11:49 a.m.	Jacob YG Little	[file]
5/31/20 11:50 a.m.	Jacob YG Little	Delete that
5/31/20 12:30 p.m.	Darius Benson	Lemme get that
5/31/20 12:30 p.m.	Darius Benson	Ticket tho?
5/31/20 12:34 p.m.	Jacob YG Little	I took off the red dot and the flashlight and the sling so I'll let it go for 9
5/31/20 12:34 p.m.	Jacob YG Little	Suppressor still on it
5/31/20 12:36 p.m.	Jacob YG Little	I'm boutta let this bitch off rn lol
5/31/20 12:58 p.m.	Jacob YG Little	Wya
5/31/20 12:58 p.m.	Darius Benson	Federal way rn

5/31/20 12:59 p.m.	Jacob YG Little	Aight tap in when You get north
--------------------	-----------------	------------------------------------

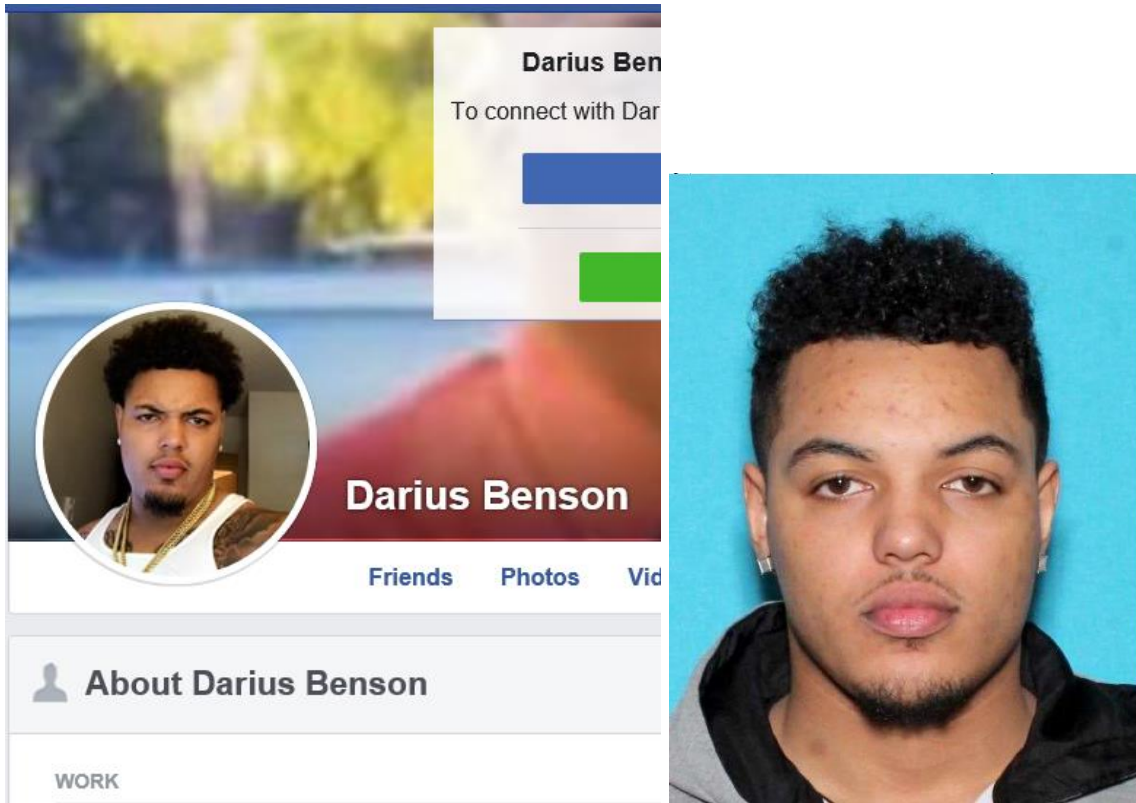
52. I believed this Facebook messenger chat between “Jacob YG Little” and “Darius Benson” was concerning the stolen SPD rifle and suppressor. Specifically, the chat appeared to involve “Jacob YG Little” negotiating to sell the stolen rifle and suppressor to “Darius Benson,” as well as confirming that “the red dot and the flashlight and the sling” had been removed from the rifle. I spoke to Detective Magan, who confirmed that prior to being stolen, the SPD rifle had a red dot light, flashlight, and sling.

53. On the same day, I used “Darius Benson’s” Facebook identification number to locate his publically-viewable Facebook page. I also queried Washington State Department of Licensing (DOL) driver’s registration records for “Darius Benson.” There was only one result, with an address in Mountlake Terrace, Washington. I compared the DOL photo for Darius Benson to the profile image of the Facebook page I located and saw that they appeared to depict the same individual.

//

//

//



Left: "Darius Benson" Facebook page; Right: BENSON driver's license photo

54. The SUBJECT ACCOUNT associated with LITTLE was preserved by Facebook Inc. from July 10, 2020 through December 7, 2020. It appears to have been deactivated since LITTLE's arrest on July 20, 2020.

55. The SUBJECT ACCOUNT associated with BENSON was preserved by Facebook Inc. August 4, 2020 through January 1, 2021. It appears to be currently active.

56. On August 26, 2020, I saw a Facebook messenger chat string between "Jacob YG Little" (owner) and an individual with the initials J.B. In a series of messages dated May 30, 2020, LITTLE and J.B. discuss meeting up in Seattle. As they appear to try to find each other, LITTLE wrote, "I'm in all black w a Columbia jacket."

57. On September 8, 2020, I was made aware by a local law enforcement agency of videos documenting a shooting incident on August 30, 2020. I have reviewed

1 these videos, which show an individual who is believed to be LITTLE is seen shooting
2 firearms from the passenger seat of a vehicle, including a rifle that appears to have a
3 suppressor affixed to the barrel. My understanding is that local law enforcement is
4 continuing to investigate that matter.

5 **BACKGROUND RELATED TO FACEBOOK SERVICES**

6 58. Facebook owns and operates a free-access social networking website of the
7 same name that can be accessed at <http://www.facebook.com>. Facebook allows its users
8 to establish accounts with Facebook, and users can then use their accounts to share
9 written news, photographs, videos, and other information with other Facebook users, and
10 sometimes with the general public.

11 59. Facebook asks users to provide basic contact and personal identifying
12 information to Facebook, either during the registration process or thereafter. This
13 information may include the user's full name, birth date, gender, contact e-mail
14 addresses, Facebook passwords, Facebook security questions and answers (for password
15 retrieval), physical address (including city, state, and zip code), telephone numbers,
16 screen names, websites, and other personal identifiers. Facebook also assigns a user
17 identification number to each account. In my training and experience, such information
18 may constitute evidence of the crimes under investigation because the information can be
19 used to identify the account's user or users, to locate them, and to help establish who has
20 dominion and control over the account.

21 60. Facebook users may join one or more groups or networks to connect and
22 interact with other users who are members of the same group or network. Facebook
23 assigns a group identification number to each group. A Facebook user can also connect
24 directly with individual Facebook users by sending each user a "Friend Request." If the
25 recipient of a "Friend Request" accepts the request, then the two users will become
26 "Friends" for purposes of Facebook and can exchange communications or view
27 information about each other. Each Facebook user's account includes a list of that user's
28 "Friends" and a "News Feed," which highlights information about the user's "Friends,"

1 such as profile changes, upcoming events, and birthdays. A Facebook user's groups and
2 friends list may also constitute evidence of the crimes under investigation, because the
3 information can be used to identify the account's user or users and may also assist in
4 identifying co-conspirators.

5 61. Facebook users can select different levels of privacy for the
6 communications and information associated with their Facebook accounts. By adjusting
7 these privacy settings, a Facebook user can make information available only to himself or
8 herself, to particular Facebook users, or to anyone with access to the Internet, including
9 people who are not Facebook users. A Facebook user can also create "lists" of Facebook
10 friends to facilitate the application of these privacy settings. Facebook accounts also
11 include other account settings that users can adjust to control, for example, the types of
12 notifications they receive from Facebook.

13 62. Facebook users can create profiles that include photographs, lists of
14 personal interests, and other information. Facebook users can also post "status" updates
15 about their whereabouts and actions, as well as links to videos, photographs, articles, and
16 other items available elsewhere on the Internet. Facebook users can also post information
17 about upcoming "events," such as social occasions, by listing the event's time, location,
18 host, and guest list. In addition, Facebook users can "check in" to particular locations or
19 add their geographic locations to their Facebook posts, thereby revealing their geographic
20 locations at particular dates and times. A particular user's profile page also includes a
21 "Wall," which is a space where the user and his or her "Friends" can post messages,
22 attachments, photographs and links that will typically be visible to anyone who can view
23 the user's profile (subject to the privacy settings selected by the account user). This type
24 of information may also constitute evidence of the crimes under investigation to the
25 extent this information may help identify the account user and co-conspirators and may
26 also be used to help locate the account user.

27 63. Facebook has a Photos application, where users can upload an unlimited
28 number of albums and photos. Another feature of the Photos application is the ability to

1 “tag” (i.e., label) other Facebook users in a photo or video. When a user is tagged in a
2 photo or video, he or she receives a notification of the tag and a link to see the photo or
3 video. For Facebook’s purposes, the photos associated with a user’s account will include
4 all photos uploaded by that user that have not been deleted, as well as all photos uploaded
5 by any user that have that user tagged in them.

6 64. Facebook users can exchange private messages on Facebook with other
7 users. These messages, which are similar to e-mail messages, are sent to the recipient’s
8 “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well
9 as other information. Facebook users can also post comments on the Facebook profiles
10 of other users or on their own profiles; such comments are typically associated with a
11 specific posting or item on the profile. In addition, Facebook has a Chat feature known
12 as Facebook messenger that allows users to send and receive instant messages through
13 Facebook. These chat communications are stored in the chat history for the account. The
14 content of a user’s Facebook messenger history may contain communications relevant to
15 the crimes under investigation and may also help confirm the identity of the account
16 holder and any co-conspirators. Facebook also has a Video Calling feature, and although
17 Facebook does not record the calls themselves, it does keep records of the date of each
18 call.

19 65. If a Facebook user does not want to interact with another user on Facebook,
20 the first user can “block” the second user from seeing his or her account.

21 66. Facebook has a “like” feature that allows users to give positive feedback or
22 connect to particular pages. Facebook users can “like” Facebook posts or updates, as
23 well as webpages or content on third-party (i.e., non-Facebook) websites. Facebook
24 users can also become “fans” of particular Facebook pages. These likes may constitute
25 evidence of the crimes under investigation to the extent they reveal interest in pimping or
26 prostitution.

27 67. Facebook has a search function that enables its users to search Facebook for
28 keywords, usernames, or pages, among other things.

1 68. Each Facebook account has an activity log, which is a list of the user's
2 posts and other Facebook activities from the inception of the account to the present. The
3 activity log includes stories and photos that the user has been tagged in, as well as
4 connections made through the account, such as "liking" a Facebook page or adding
5 someone as a friend. The activity log is visible to the user but cannot be viewed by
6 people who visit the user's Facebook page.

7 69. In addition to the applications described above, Facebook also provides its
8 users with access to thousands of other applications on the Facebook platform. When a
9 Facebook user accesses or uses one of these applications, an update about that the user's
10 access or use of that application may appear on the user's profile page.

11 70. Facebook uses the term "Neoprint" to describe an expanded view of a given
12 user profile. The "Neoprint" for a given user can include the following information from
13 the user's profile: profile contact information; News Feed information; status updates;
14 links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists,
15 including the friends' Facebook user identification numbers; groups and networks of
16 which the user is a member, including the groups' Facebook group identification
17 numbers; future and past event postings; rejected "Friend" requests; comments; gifts;
18 pokes; tags; and information about the user's access and use of Facebook applications.

19 71. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP
20 address. These logs may contain information about the actions taken by the user ID or IP
21 address on Facebook, including information about the type of action, the date and time of
22 the action, and the user ID and IP address associated with the action. For example, if a
23 user views a Facebook profile, that user's IP log would reflect the fact that the user
24 viewed the profile, and would show when and from what IP address the user did so.

25 72. Social networking providers like Facebook typically retain additional
26 information about their users' accounts, such as information about the length of service
27 (including start date), the types of service utilized, and the means and source of any
28 payments associated with the service (including any credit card or bank account number).

1 In some cases, Facebook users may communicate directly with Facebook about issues
 2 relating to their accounts, such as technical problems, billing inquiries, or complaints
 3 from other users. Social networking providers like Facebook typically retain records
 4 about such communications, including records of contacts between the user and the
 5 provider's support services, as well as records of any actions taken by the provider or
 6 user as a result of the communications.

7 73. Therefore, the computers of Facebook are likely to contain all the material
 8 described above, including stored electronic communications and information concerning
 9 subscribers and their use of Facebook, such as account access information, transaction
 10 information, and other account information.

11 **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

12 74. I anticipate executing this warrant under the Electronic Communications
 13 Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by
 14 using the warrant to require Facebook to disclose to the government copies of the records
 15 and other information (including the content of communications) particularly described in
 16 Section I of Attachment B. Upon receipt of the information described in Section I of
 17 Attachment B, government-authorized persons will review that information to locate the
 18 items described in Section II of Attachment B.

19 **CONCLUSION**

20 75. Based on the foregoing, I believe there is probable cause that evidence of
 21 the crime of Possession of a Stolen Firearm will be found in the SUBJECT ACCOUNTS,
 22 as more fully described in Attachment A to this Affidavit. I therefore request that the
 23 Court issue the proposed search warrant. This Court has jurisdiction to issue the
 24 requested warrant because it is "a court of competent jurisdiction" as defined by 18
 25 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a
 26 district court of the United States . . . that - has jurisdiction over the offense being
 27 investigated." 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence
 28 of a law enforcement officer is not required for the service or execution of this warrant.

1 Accordingly, by this Affidavit and Warrant I seek authority for the government to search
2 all of the items specified in Section I, Attachment B (attached hereto and incorporated by
3 reference herein) to the Warrant, and specifically to seize all of the data, documents and
4 records that are identified in Section II to that same Attachment.

5
6
7 

8 LEXIE WIDMER, Special Agent
9 Alcohol, Tobacco, Firearms, and Explosive (ATF)

10 The above-named agent provided a sworn statement attesting to the truth of the
11 foregoing affidavit by telephone on 11th day of September, 2020.

12
13 

14 MICHELLE L. PETERSON
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTACHMENT A
ACCOUNTS TO BE SEARCHED

This warrant applies to information associated with the Facebook user of the following Facebook accounts (“SUBJECT ACCOUNTS”):

- Account 100002862758124, or alternatively described as the account located at <https://www.facebook.com/jacob.little.94/>, profile or page name “Jacob YG Little”
- Account 100001849466441, or alternatively described as the account located at <https://www.facebook.com/darius.benson.3/>, profile or page name “Darius Benson”

These accounts are stored at premises owned, maintained, controlled, or operated by Facebook, a company headquartered in Menlo Park, California.

ATTACHMENT B

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each SUBJECT ACCOUNT listed in Attachment A:

a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers;

b. All activity logs for the account and all other documents showing the user's posts and other Facebook activities;

c. All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them;

d. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;

e. All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history, and pending "Friend" requests;

f. All "check ins" and other location information;

g. All IP logs, including all records of the IP addresses that logged into the account;

h. All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";

i. All past and present lists of friends created by the account;

j. All records of Facebook searches performed by the account;

k. The length of service (including start date), the types of service utilized by the user, and the means and source of any payments associated with the service (including any credit card or bank account number);

l. All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;

m. All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

n. A list of any accounts linked to the SUBJECT ACCOUNTS by machine cookie.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, contraband, evidence and instrumentalities of violations of Title 18, United States Code, Sections 922(j) occurring between May 2020 and September 2020, including the following:

a. Posts, videos, or messages admitting to the theft of the SPD Colt rifle and suppressor, depicting the SPD Colt rifle and suppressor, and/or related to the sale or transfer of the SPD Colt rifle and suppressor

b. Evidence indicating state of mind and motive as it relates to the crimes enumerated above, including but not limited to records related to protests occurring in Seattle and other locations during late May and June 2020

1 c. IP log evidence, including all records of the IP addresses that logged into
2 the account, and the dates and times such logins occurred

3 d. Evidence of the identities of and relationships between co-conspirators;

4 e. Evidence of who uses or accesses the subject account or who exercises in
5 any way any dominion or control over the account;

6 f. Evidence of who communicated with the SUBJECT ACCOUNTS,
7 including records about their identities and whereabouts.

8 g. Log records, including IP address captures, associated with the specified
9 accounts;

10 h. Subscriber records associated with the specified accounts, including
11 1) names, email addresses, and screen names; 2) physical addresses; 3) records of session
12 times and durations; 4) length of service (including start date) and types of services
13 utilized; 5) telephone or instrument number or other subscriber number or identity,
14 including any temporarily assigned network address such as internet protocol address,
15 media access card addresses, or any other unique device identifiers recorded by Google in
16 relation to the accounts; 6) account log files (login IP address, account activation IP
17 addresses, and IP address history); 7) detailed billing records/logs; 8) means and source
18 of payment; and 9) lists of all related accounts;

19 i. Records of communications between Facebook and any person purporting
20 to be the account holder about issues relating to the accounts, such as technical problems,
21 billing inquiries, or complaints from other users about the specified account. This to
22 include records of contacts between the subscriber and the provider's support services, as
23 well as records of any actions taken by the provider or subscriber as a result of the
24 communications.

25 j. Information identifying accounts that are linked or associated with the
26 SUBJECT ACCOUNTS.

**CERTIFICATE OF AUTHENTICITY OF DOMESTIC BUSINESS
RECORDS PURSUANT TO FEDERAL RULE OF EVIDENCE 902(11)**

I, _____, attest, under penalties of perjury under the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this declaration is true and correct. I am employed by Facebook, and my official title is _____. I am a custodian of records for Facebook. I state that each of the records attached hereto is the original record or a true duplicate of the original record in the custody of Facebook, and that I am the custodian of the attached records consisting of _____ (pages/CDs/kilobytes). I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth, by, or from information transmitted by, a person with knowledge of those matters;

b. such records were kept in the ordinary course of a regularly conducted business activity of Facebook; and

c. such records were made by Facebook as a regular practice.

I further state that this certification is intended to satisfy Rule 902(11) of the Federal Rules of Evidence.